

REMARKS

Favorable reconsideration of this application, in light of the present amendment and the following discussion, is respectfully requested.

Claims 33, 34, 37-57, 60-71, 74-84, 87-96, and 99 through 109 are pending; Claims 33-57, 60-71, 74-84, 87-96, 99, and 102-108 have been amended; and no claims have been newly added. It is respectfully submitted that no new matter has been added by this amendment.

In the outstanding Office Action, Claims 33, 34, 37-39, and 41-55 were rejected under 35 U.S.C. § 103(a) as unpatentable over Darbee et al. (U.S. Pat. No. 6,130,726, hereafter Darbee) in view of Jones (U.S. Pat. No. 5,978,013); Claims 56, 57, 60-71, 74-84, 87-96, and 99-108 were rejected under 35 U.S.C. § 103(a) as unpatentable over Darbee in view of Jones, and further in view of Kishtaka (U.S. Pat. No. 6,084,643); Claims 40, 52, and 63 were rejected under 35 U.S.C. § 103(a) as unpatentable over Darbee in view of Jones, and further in view of Takashi et al. (U.S. Pat. No. 6,278,493, hereafter Takashi) and further in view of Hirose (U.S. Pat. No. 5,917,915); Claims 33, 34, 37-57, 60-71, 74-84, 87-96, and 99-108 were rejected under judicially created obviousness-type double patenting as unpatentable over Claims 1-32 of co-pending application serial no. 09/706,945; and Claims 33, 34, 37-57, 60-71, 74-84, 87-96, and 99-108 were rejected under judicially created obviousness-type double patenting as unpatentable over Claims 33-82 of co-pending application serial no. 09/707,007.

Regarding the rejection of Claims 33, 34, 37-39, and 41-55 under 35 U.S.C. § 103(a) as unpatentable over Darbee in view of Jones, that rejection is respectfully traversed.

Independent Claim 33 has been amended to recite “a first memory for storing at least a portion of said additional information; a second memory for receiving and storing information transferred from the first memory; and

... the additional information includes ... coupon information ... and ... wherein the coupon information is transferred from the first memory to the second memory when a user selects the coupon information.” Claims 47-49 and 53-55 similarly recite that additional information is stored in a first memory and that coupon information is transferred from the first to a second memory upon user selection.

Darbee relates to a program guide on a remote control display. Darbee describes that a remote control includes program guide software stored in the memory that is executable by the microprocessor for causing to be displayed on the visual display, upon actuation of one or more of the keys, a program guide, advertising and/or other content contained in a data set received by the receiver.¹ As illustrated in Figures 5-34 of Darbee, a series of displays or screens may appear on the visual display 14 of the remote control unit 100 as certain keys on the keyboard 15 are depressed or otherwise manipulated.² From this description, it is evident that the display used in Darbee is located in the remote control itself. However, Darbee does not disclose or suggest that coupon information is transferred from a first memory to a second memory based on a user selection.

It is respectfully submitted that Jones fails to remedy the defects above-noted with regard to Darbee. Jones describes that coupon information is stored in a memory at a cable television station.³ Jones further describes that a coupon subsystem at the cable television station monitors each video signal and receives coupon information from a database when it detects a corresponding embedded coupon identifier and embeds the coupon information into the video signal before transmitting it.⁴ The television programming aurally or visually alerts

¹ Darbee, Abstract.

² Darbee, col. 7, lines 54-62.

³ Jones, Abstract.

⁴ Id.

the viewer that a coupon may be generated.⁵ If the viewer actuates an input device, such as a button on a television remote control, a printer generates a coupon bearing the coupon information.⁶ However, like Darbee, Jones does not disclose or suggest that coupon information is transferred from a first memory to a second memory when a user selects the coupon information.

Consequently, as neither Darbee nor Jones, either alone or as applied in combination, discloses or suggests that coupon information is transferred from a first to a second memory when a user selects the coupon information, it is respectfully submitted the pending Claims 33, 34, 37-39 and 41-55 patentably distinguish over both Darbee and Jones. It is therefore respectfully requested that this rejection be withdrawn.

Moreover, it is respectfully submitted that there is no basis in the teachings of either Darbee or Jones to support the applied combination. Specifically, as noted above, Darbee relates to a remote control where the display is located within the remote control itself. Therefore, the user views the information from the remote control. By contrast, Jones relates to a system where information is stored in a memory at a cable television station. The information becomes visible to the user through the television screen, and not through a display on a remote control. Therefore, it is evident that the information systems of Jones are quite distinct from those of Darbee.

⁵ Id.

⁶ Id.

Because the systems of Jones and Darbee are so distinct, it is respectfully submitted that there is no basis in the teachings of Jones, which describes that information stored in a memory at a cable television station is broadcast over the television, to support combination with Darbee, which describes that selected information may be displayed to the user on a remote control itself. Therefore, it is respectfully submitted that the applied combination of Darbee and Jones is based solely upon hindsight reconstruction, and it is respectfully requested that this rejection be withdrawn.

As for the rejection of Claims 56, 57, 60-71, 74-84, 87-96, and 99-108 under 35 U.S.C. § 103(a) as unpatentable over Darbee in view of Jones, and further in view of Kishtaka, that rejection is also traversed.

Independent Claims 56 and 95 have been amended to recite that coupon information is transferred from a first storage means or a first memory to a second storage means or to a second memory, respectively, when a user selects the coupon information.

As noted above, neither Darbee nor Jones, either alone or in combination, discloses or suggests this feature.

It is respectfully submitted that Kishtaka fails to remedy the defects above-noted with regard to Darbee and Jones. Kishtaka relates to receiving equipment and a method for using receiving equipment. However, Kishtaka does not disclose or suggest any type of coupon information. Therefore, Kishtaka necessarily fails to disclose or suggest that coupon information is transferred from a first storage means to a second storage means or memory, based upon selection by the user.

Consequently, it is respectfully submitted that Claims 56, 57, 60-71, 74-84, 87-96, and 99-108 patentably distinguish over Darbee, Jones, and Kishtaka, either alone or as applied in combination. It is therefore respectfully requested that this rejection be withdrawn.

Regarding the rejection of Claims 40-52, and 63 under 35 U.S.C. § 103(a) as unpatentable over Darbee in view of Jones and further in view of Takahashi and Hirose, that rejection is traversed. As noted above, independent Claims 33, 49, and 56, from which Claims 40, 52, and 63 depend, have been amended to recite the coupon information is transferred from a first to a second storage means or memory based on the selection of a user.

As further noted above, neither Darbee nor Jones discloses or suggests this feature.

It is respectfully submitted that Takahashi cannot remedy the defects above-noted with regard to Darbee and Jones, because Takahashi may not be applied against the present application in the manner proposed by the outstanding Office Action. Specifically, Takahashi, which issued as a U.S. patent on August 21, 2001, is assigned on its face to Sony Corporation. Similarly, the present application, which has a filing date of December 29, 2000, is also assigned to Sony Corporation. Therefore, because Takahashi is only available against the present application as prior art under 35 U.S.C. § 102(e) and is subject to common assignment to Sony Corporation, it is respectfully submitted that Takahashi may not be applied against the present claims.

Hirose relates to a scramble/descramble method and apparatus for data broadcasting. However, Hirose does not disclose or suggest any type of coupon information. Therefore, Hirose necessarily fails to disclose or suggest that coupon information is transferred from a first storage means to a second storage means or memory based on the selection of a user.

Consequently, as none of Darbee, Jones, or Hirose, either alone or in combination, discloses or suggests the features recited in the independent claims from which Claims 40, 52, and 63 depend, it is respectfully requested that this rejection be withdrawn.

Moreover, it is respectfully submitted that there is no basis in the teachings of any of Darbee, Jones, or Hirose to support the proposed combination. Certainly, the Office Action fails to cite any specific teachings within any of Darbee, Jones, or Hirose to support the

applied combination. It is therefore respectfully submitted that this combination of Darbee, Jones, and Hirose and is based solely upon hindsight reconstruction, and is improper.

With regard to the nonstatutory double patenting rejection of Claims 33, 34, 37-57, 60-61, 74-84, 87-96, and 99-108 as unpatentable over Claims 1-32 application serial no. 09/706,945, that rejection is traversed. Specifically, it is respectfully submitted that the present amendment to the independent claims has obviated this rejection, as independent Claims 33, 47-49, 53-56, 70, 83, and 95 have been amended to recite that coupon information is transferred from a first to a second storage means or memory when a user selects the coupon information, which is patentably distinct from the claims of 09/706,945.

Turning to the rejection of Claims 33, 34, 37-57, 60-71, 74-84, 87-96, and 99-108 for a judicially created obviousness-type double patenting, as unpatentable over Claims 33-82 of copending application serial no. 09/707,007, that rejection is traversed for reasons analogous to those set forth with regard to application serial no. 09/706,945.

Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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